THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.5230 of 2006

Between:

Nori Suryanarayana Murthy and others. … Petitioners

And

Serilingampally Municipality, rep. By

Commissioner, Ranga Reddy District

And another

…Respondents

ORDER:

Petitioners question the actions of the respondents in not accepting the building applications made by them for construction of residential houses in their Plot Nos.66 & 67, 143 and 108 respectively in Survey No.211 of Madeenaguda Village, Serilingamapally Municipality as illegal and arbitrary.

Petitioners stated that they are the owners and possessors of the plots in question which are situated in approved layout. It is stated

that they submitted an application dated 4.3.2006 under the provisions of the A.P. Municipalities Act, 1965 (for short 'the Act') with a request to accord permission to undertake construction in their respective plots. However, the respondents refused to receive the same without there being any justifiable reason. Hence this writ petition.

When the matter is taken up for consideration, it is represented by the learned counsel for both parties that W.P.No.4843 of 2005, filed by one of the plot owners in the same Sy.No.211 of Madinaguda village, with an identical prayer was disposed of by this Court by order dated 11.3.2005 observing that there does not exist any justification for the respondents to refuse to receive the application seeking permission to construct a building. In the said case, it was also observed that in case there exist any objections or impediments in the matter of grant of permission, the respondents can certainly reject the application stating the reasons therefor and accordingly the respondents were directed to receive the application of the petitioner therein and process the same in accordance with the provisions of law.

Accordingly, the writ petition is disposed of with a direction to the respondents to receive the application of the petitioners seeking permission to construct residential houses and process the same in accordance with the provisions of the A.P. Municipalities Act, 1965. There shall be no order as to costs.

(V.ESWARAIAH, J.)

17.3.2006

kpr